

**BATTLE CREEK CITY PLANNING COMMISSION  
MEETING MINUTES  
Wednesday, July 22, 2009**

**1. Call to Order:**

Commissioner Preston Hicks called the meeting to order at 4:00 p.m.

**2. Attendance:**

**Members Present:**

Steve Barker	Preston Hicks	Chris Simmons
Mark Behnke(Mayor)	William Morris	Chip Spranger
Jan Frantz	Ed Scheinfeldt	John Stetler

**Staff Present:** Susan Bedsole, Licensing & Compliance Director  
Eileen Wicklund, City Attorney  
Jill Steele, Assist. City Attorney  
Glenn Perian, Senior Planner  
Leona Parrish, Administrative Assistant

**3. Additions or Deletions to the Agenda: None**

**4. Approval of Minutes: Meeting Minutes of June 24, 2009.**

**A MOTION WAS MADE BY COMMISSIONER BARKER, SUPPORTED BY MAYOR BEHNKE TO APPROVE THE PLANNING COMMISSION MEETING MINUTES FOR JUNE 24, 2009 AS PRESENTED. VOTE ON MOTION; ALL IN FAVOR; NONE OPPOSED MOTION APPROVED.**

**5. Correspondence: None**

**6. Public Hearing:**

- A. SPECIAL USE PERMIT (#S-02-09): Petition from Pastor Eric Tolbert, Lighthouse Full Life Center Church of Battle Creek, P. O. Box 9337, Wyoming, MI, 49509 on behalf of Battle Creek Public Schools. Requesting a Special Use Permit of the following described property for use as a Church and Community Outreach Center as permitted under the Planning and Zoning Code, Chapter 1290, Section 1290.01(b)(23), for property located at 485 Capital Ave., S.W., Battle Creek, MI 49015, Parcel #3590-00-001-0, and legally described as: GRAYS ADD LOTS 1 THRU 6, NE 28.87 FT OF LOT 7; ALLENS ADD LOTS 6 & 7; HALL BROS ADD LOT 6.**

Mr. Glenn Perian read the Planning Staff Report stating the application is to allow Lighthouse full Life center Church (LHBC) to be located within the 42,042 square foot former Roosevelt Elementary School located at 485 Capital Avenue S.W., churches are authorized as a Special Use under the Planning and Zoning Code, Chapter 1290, Sec. 1290.01 (b)(23) as a privately operated



community building. Stated the property is on 1.87 acre parcel and the zoning of the land is "C-3 Intensive Business District" along the Capital Avenue frontage with an "R-2 Two Family Residential District" along the rear of the property fronting Terrace Avenue. Noted the surrounding land use consists of residential use to the northeast and a mix commercial use along the Capital Ave. S.W. corridor. Stated the Lighthouse Full Life Center Church is currently congregating at Burnham Brook with approximately 75 members; that the vacant Roosevelt Elementary School location is intended to provide as a permanent location for the church.

Mr. Perian stated their weekly worship services are planned for Sunday afternoons and Wednesday evenings. The gymnasium area will be used for the worship services with the maximum seating area approximately is for 150 people, the other areas of the building are planned for youth services and activities during the worship service times. Parking is now available for approximately 160 people and is not a concern. Pastor Tolbert has made it clear they have no objections to establishments operating with a liquor license with 500 feet of the proposed church and have no objections to a condition attached to the Special Use Permit stating that they would not object.

Mr. Perian stated that staff is recommending that this be a condition of approval as stated on page 7 of the staff report and noted the staff is reviewed their application and is recommending approval for a Special Use Permit for Lighthouse Full Life Center Church based on the general standards and conditions and projects specific conditions for approval outlined in the staff report and in addition would like to add the words: Worship and Community Outreach Center as noting on their application any where that church is located in the staff report for additional clarity for this application.

Pastor Eric Tolbert, 5141 S. Oakvale Ct., Wyoming, MI, 49509, was present to speak. Thanks the Commission for the opportunity to be here and stated they were excited to purchase and found Roosevelt School location and noted several members of their church attended this elementary school and also taught there when it was used as a school. Said it is their desire to reach out to the community and is there hope and desire to bring inspiration to the community.

Commissioner Frantz asked Pastor Tolbert what was their relationship to Lighthouse Full Life Center Church which was incorporated by Marvin Sapp, whose address is in Caledonia.

Pastor Tolbert stated that Doctor Marvin L. Sapp is the senior Pastor of Lighthouse Full Life Church which is located in the city of Grand Rapids, Michigan. Said approximately two years ago they planted a church in Battle Creek, which is who they are and upon becoming the senior pastor last October he gave them complete and all rights to their ministry. Therefore they are completely separate, but they bear the same name.

Commissioner Frantz asked if they had any financial, lending or obligations connection with Pastor Sapp's church. Pastor Tolbert stated absolutely not, they are solely their own proprietor, their own church and have no connections as far as financially, or decisions.

Commissioner Frantz stated Pastor Sapp's church had purchased property at 99 W. Michigan Avenue and now lies vacant in our downtown; asked if they had any relationship with that address.



Pastor Tolbert stated their church have no connection with the W. Michigan Avenue address at this particular point in time; said when they took over the ministry in October, 2008, the Grand Rapids location took full responsibility for that property as they would not have been able to take on the cost of maintaining that facility as well as a rental property of their own. They have no ownership or ties to that downtown property on W. Michigan Avenue.

Commissioner Morris asked if they had contacted the Neighborhood Planning Council and had their approval regarding their request.

Pastor Tolbert stated he had spoke to NPC #3 Chairperson and that they did not hold a meeting for the summer months; that he would provide a letter of recommendation and at that time gave his verbal support and was excited to see a church at that location.

Commissioner Barker referenced the staff report regarding the 500 ft. condition for liquor license, and that their church did not object; is that correct. Pastor Tolbert stated, yes that was correct.

Commissioner Stetler noted he had also graduated from Roosevelt Elementary School.

Mr. Denny Welling, 243 Central Street, came forward to speak on behalf of the Battle Creek Public Schools. Stated he is responsible for facilities and real-estate for Battle Creek Public Schools. Said they are working with several different groups of people to try and put their empty buildings back into service; that when they are empty vandals tend to try and destroy the property. That when they are occupied they do not have any incidence of any vandalism. He stated Pastor Tolbert was the first to come to them with an established business plan that has already been proven successfully and also with a sustainability plan. Therefore the BCPS are recommending approval of this petition.

Mr. Joel Fulton, 28 W. Bidwell St., Battle Creek, Chairperson for NPC #3, stated he had spoken with Pastor Tolbert and had contacted their council members regarding this request for Special Use Permit. He submitted a written approval from their NPC stating the majority of their council members feel it would be a positive impact on their neighborhood. Said personally he would rather have a church located there than an establishment selling liquor.

Having no further public comments the public hearing was closed.

7. **Old Business:** None

8. **New Business:**

- A. **SPECIAL USE PERMIT (#S-02-09):** Petition from Pastor Eric Tolbert, Lighthouse Full Life Center Church of Battle Creek, P. O. Box 9337, Wyoming, MI, 49509 on behalf of Battle Creek Public Schools. Requesting a Special Use Permit of the following described property for use as a Church and Community Outreach Center as permitted under the Planning and Zoning Code, Chapter 1290, Section 1290.01(b)(23), for property located at 485 Capital Ave., S.W., Battle Creek, MI 49015, Parcel #3590-00-001-0.



Commissioner Morris thanked Pastor Tolbert for being creative and wanting to come to the City of Battle Creek; also thank Mr. Welling, Battle Creek Public Schools and Mr. Fulton, NPC #3 Chairperson for coming today to speak in support of this petition.

**A MOTION WAS MADE BY COMMISSIONER MORRIS, SUPPORTED BY COMMISSIONER SIMMONS TO APPROVE PETITION #S-02-09 SPECIAL USE PERMIT FOR USE AS A CHURCH AND COMMUNITY OUTREACH CENTER AS SUBMITTED TO INCLUDE ALL THE CONDITIONS OUTLINED IN THE STAFF REPORT FOR PROPERTY LOCATED AT 485 CAPITAL AVE., S.W.**

Commissioner Scheinfeldt asked if before they vote on the motion; should they have the motion with the conditions read and accepted so everyone knows what the conditions are that they are voting on.

Commissioner Hicks stated the conditions of approval are apart of the staff report; specific conditions and administrative conditions. He asked council if they are required to be read.

Ms. Steele stated it was up to the commission if they would like them to be read for the public.

Commissioner Frantz stated that the commissioners are familiar with the ordinance and parts (a) through (h) that must be satisfied by the application; but with the additional condition (i) they should make sure they are familiar with before they vote and asked for it to be read.

***Note: Secretary was asked to read from the staff report section (i) under the Basis for Determination for the record.***

**Discussion:**

Commissioner Frantz stated regarding the motion, she finds the applicant satisfies the basis for determination; but would like to call attention to condition (b) as it appears the parent church with the vacant space on W. Michigan Ave. does not reflect well with the petition being affiliated with that church and is unfortunate. Although she finds the petition does satisfy all the conditions met.

Commissioner Scheinfeldt asked for clarification regarding the motion; that what they are voting on includes the staff report recommendations with conditions of approval, projects specific conditions #1, 2, & 3, which he has before him an understands; as well as administration conditions #4 & 5.

Commissioner Hicks stated; yes, it is his understanding that the motion did include those recommendations.

Commissioner Simmons stated he agrees with Commissioner Scheinfeldt regarding clarification, also Commissioner Frantz asking to read on the liquor license condition. Said there is also a condition listed regarding the parking spaces in the event the membership grows beyond 160 members that additional parking spaces may be required. He asked to hear from the applicant to state if they agreed to that condition.

Pastor Eric Tolbert stated he is aware that later the parking may need to expand and that across and adjacent to the building is a playground area that can be paved for a parking lot if needed,



which would triple their current parking space. Noted they have considered holding several different services at different times.

Commissioner Morris asked Pastor Tolbert if they do not want a variance regarding the parking, but are agreeing to abide by the city codes. Pastor Tolbert stated, yes.

Commissioner Barker stated it is his understanding that they have incorporated all of the conditions and state that he is in concurrence with the staff report that has been provided to them dated July 22, 2009 specifically pages 3 through 8 that incorporates everything that the Planning department has provided at their public comment.

Ms. Jill Steele, point of order; stated that Mr. Glenn Perian added information regarding the Community Outreach, that there is nothing in the findings regarding their Community Outreach Center that was on the application. Perhaps a commission member could add something among the findings that a Community Outreach Center is compatible, etc.

Commissioner Barker added that this motion and approval incorporate the Planning Departments issues provided during the public comment concerning the Community Outreach Center and would incorporate those in to their recommendations findings and hopefully subsequent approval of this matter.

**VOTE ON MOTION: ALL IN FAVOR; NONE OPPOSED MOTION APPROVED.**

**9. Comments by the Public:**

Pastor Eric Tolbert and church members present thanked the Planning Commission.

**10. Comments by the Staff and Commission Members:**

Commissioner Preston thanked everyone for attending.

**11. Adjournment:**

The meeting adjourned at 4:33 P.M.

Respectfully Submitted,  
Planning Department  
Battle Creek City Planning Commission